

## **REMARKS**

In the Official Action mailed on **27 January 2009**, the Examiner reviewed claims 1-28. Examiner rejected claims 1-28 under 35 U.S.C. § 103(a) based on Auerbach (U.S. Patent No. 6,832,253, hereinafter “Auerbach”), and Martija et al. (U.S. Patent No. 7,039,689, hereinafter “Martija”).

### **Rejections under 35 U.S.C. § 103(a)**

Examiner rejected claims 1-28 under 35 U.S.C. § 103(a) based on Auerbach, and further based on Martija. Applicant respectfully disagrees because neither Auerbach nor Martija disclose (i) determining an arena within which a node lies, (ii) specifying collections of nodes in the network as match sets, and (iii) routing rules for each node within a specified arena that look for requested content in a hierarchical manner, searching all nodes within a particular match set before moving the search to another match set, and possibly moving the request directly to the origin server.

Specifically, in embodiments of the present invention, arenas are administrative units that are collections of nodes defined by a system administrator. Corresponding routing rules are also defined for the arenas (see paragraph [0076] of the instant application). In addition, a variety of match sets may be defined. The match sets may comprise nodes belonging to a single local subnet, an arena, a router graph, an IP/20 network, among others (see paragraphs [0033]-[0037] of the instant application). The routing rules that correspond to the arenas define fallback precedence rules within match sets as well as between match sets (see paragraph [0076] of the instant application).

Defining the content routing for a peer node using such routing rules that correspond to the arena in which the peer node belongs is beneficial because it facilitates fine grained control of network traffic. For example, as specified in paragraph [0038] of the instant application, the routing rules for a specific arena

could be limited only to peers in that arena. Thus, when the peer nodes in that arena are exhausted, the requesting peer may be directed to an origin server for the content rather than for other nodes in other match sets. This finds support in paragraphs [0038]-[0039] of the instant application.

The proximity measures disclosed in the Auerbach system disclose a precedence ordering as defined by the particular proximity method in play (see Auerbach, col. 8, lines 14-29). Applicant respectfully submits that the definition of proximity as disclosed by Auerbach above does not allow for possibly arbitrary fallback rules such as, for example, return to origin server after exhausting peer nodes within an arena.

Hence, Applicant respectfully submits that neither Auerbach nor Martija disclose the above-described elements of the amended claims. Specifically, Applicant respectfully submits that there is nothing in the Auerbach system or the Martije system, either separately or in concert, that discloses that when a client places a request for content, (i) routing rules that correspond to the arena in which the node belongs are applied; and (ii) these routing rules that correspond to an arena define a fallback precedence ordering between match sets and within match sets.

Accordingly, Applicant has amended claims 1, 10, and 19 to clarify these distinctions. These amendments find support in paragraphs [0033]-[0039] and [0076] of the instant application. No new matter has been added.

Hence, Applicant respectfully submits that independent claims 1, 10, and 19, as presently amended are in condition for allowance. Applicant also submits that claims 2-9, which depend upon claim 1, claims 11-18, which depend upon claim 10, and claims 20-28, which depend upon claim 19, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

### CONCLUSION

It is submitted that the application is presently in form for allowance.  
Such action is respectfully requested.

Respectfully submitted,

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Date: 27 April 2009

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